

PLEASANT GROVE MUNICIPAL CODE
SECTION 10-15-47: ACCESSORY APARTMENTS
Adopted 2/2/2016

- A. Definition of Accessory Apartment.** A subordinate dwelling, which has its own eating, sleeping, and sanitation facilities which is (1) within or attached to a single-family residential building, or (2) within a detached accessory structure associated with a single-family dwelling.
- B. Purpose and Intent.** The purpose and intent of the accessory apartment ordinance is to recognize the residential character of Pleasant Grove City and to provide for supplementary living accommodations in the community, as well as provide for supplementary income opportunities of property owners. These provisions are intended to provide for affordable housing with reasonable limitations to minimize the impact on neighboring properties and neighborhoods, and to promote the health, safety, and welfare of the property owners and residents of accessory apartments.
- C. Owner Occupied.** No accessory apartment shall be created, established, or occupied in a single family dwelling unless the owner of the property occupies either a portion of the main dwelling or a detached accessory unit on the same single-family lot. For the purpose of this section, the term “owner occupied” shall be defined as full time residency within the home by the bona fide property owner(s) as shown on the Utah County tax assessment rolls.
- D. Apartment Occupancy.** The occupants of an accessory apartment shall be limited by one of the following family categories:
1. One (1) person living alone; or
 2. Two (2) or more persons all related by blood, by marriage, by adoption; by legal guardianship or foster children; or
 3. Up to four (4) related and/or unrelated persons living as a single housekeeping unit.
 4. Any of the above categories plus a temporary guest. A temporary guest is defined as a person who stays with a family for a period of less than thirty (30) days within any rolling one-year period and does not utilize the dwelling as a legal address for any purpose.
 5. For purposes of the definition of family, the term “related” shall mean a spouse, parent, child, stepchild, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousins, great-grandparent, and great-grandchild. The term “related” does not include other, more distant relationships.
- E. Zones.** An accessory apartment which meets ordinance requirements may be allowed in a single-family dwelling unit or in a detached accessory unit within the A-1, RR, R-1, RM-7, DV and The Grove Mixed-Housing zones. No accessory apartment may be allowed in any multi-family dwelling, or on any lot that cannot satisfy the parking requirements.

- F. Number of Accessory Apartments.** A maximum of one (1) accessory apartment shall be allowed in each owner occupied single family dwelling, or in a detached accessory unit associated with a single family dwelling.
- G. Location.** Accessory apartments may be allowed within the main residential dwelling over the garage, in the basement, and in an addition, or in a detached accessory unit, as long as the zoning requirements for properties in a single family neighborhood are met.
- H. Building Entrances.** A new single family structure approved with an accessory apartment attached to or detached from the main dwelling unit, shall have a separate, accessible entrance or stairway. An accessory apartment approved in an existing structure shall use existing entrances on any side of the structure that faces a street, or a side or rear entrance. Dwellings with two front doors side-by-side may not be used to provide separate entrances for each unit with the exception of dwellings where the second door provides direct access to the dwelling basement. The purpose of this requirement is to preserve the single family residential appearance of the building.
- I. Address.** The principal dwelling unit and the accessory apartment shall have the same address number, but shall refer to the accessory apartment as unit “B”. Addresses must be located in a visible location on the street frontage side of the home.
- J. Parking.** A single family dwelling with an accessory apartment shall provide at least four (4) off-street parking spaces for the main dwelling unit, or two (2) spaces if in the R1-7 zone, and two (2) off-street parking spaces for the accessory unit, for a minimum total of six (6) off-street parking spaces, or a total of four (4) if in the R1-7 zone. In no case shall the number of off-street parking spaces be less than the number of vehicles being maintained on the premises. This shall include covered parking, garages and tandem parking in driveways. No parking spaces may be located within the front or side yard setbacks adjacent to a street, except for within an approved driveway. The minimum width of parking areas and driveways shall be paved with concrete, asphalt, masonry, or concrete pavers.
- K. Separate Living Areas.** An accessory apartment must provide living areas for eating, sleeping and sanitation facilities separate from the principal dwelling unit.
- L. Building Code.** All construction and remodeling shall comply with building codes and ordinance requirements in effect at the time of construction or remodeling, in accordance with Utah State Code Section 10-9a-511.5, Changes to dwellings –Egress windows.
- M. Utility Meters.** A single family dwelling with an accessory apartment may have separate meters for each water, gas, and electricity utility service. Each utility meter shall be in the property owner's name and the property owner shall be responsible for payment of all utilities.
- N. Interior Access.** An interior access between the main living area and an attached accessory apartment must be maintained.
- O. Not Intended For Sale.** The accessory apartment shall not be intended for sale or detached by deed and shall only be rented.

P. Accessory Apartment Registration. Any person owning an existing accessory apartment that has not previously been permitted by the City, or any person constructing or causing the construction of a residence that has an accessory apartment, or any person remodeling or causing the remodeling of a residence for an accessory apartment, shall register the accessory apartment with the Community Development Department. This shall be in addition to a building permit for the work to be performed. In order to meet the requirements of the registration, the applicant shall:

1. Submit a fee of \$25 with a completed registration form including a site plan that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, the location of parking stalls, and utility meters,
2. Include detailed floor plans with labels on rooms indicating uses or proposed uses,
3. Pay building permit fees, if applicable, for the construction of a new dwelling, or the remodeling of an existing dwelling, in accordance with the established fees and charges, and
4. Make all corrections identified as necessary to comply with building code requirements, as identified by the Chief Building Official or his designee, and provide photos of the life safety items required by building code, including carbon monoxide detectors, smoke detectors, and earthquake strapping on water heaters.

Q. Failure to Complete Registration. If the property owner does not complete the registration as outlined above, the accessory apartment shall not be considered legal or approved. Failure to complete the registration of an existing accessory apartment within two (2) years of the passing of this ordinance may result in a fine of \$500 which may result in a lien on the property. After the fine is assessed, the Building Official or his designee shall determine an appropriate deadline for compliance. An additional fine may be assessed for each deadline that is not met.

R. Home Occupation Businesses. Home occupation businesses which may be approved in an accessory apartment shall be restricted to a home office use which creates no customer traffic. No home occupation business shall be established within an accessory apartment without the express written permission of the property owner.